

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18038 of 2018

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Saurav Kumar Soni, S/o Sachidanand Soni, Resident of Main Bazar, Ward No.-6, Dalsinghsarai, P.S.- Dalsinghsarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Samastipur.
2. The Sub Divisional Officer, Dalsinghsarai, Samastipur.
3. The Circle Officer, Dalsinghsarai, Samastipur.
4. The Executive Officer, Nagar Panchayat, Dalsinghsarai, Samastipur.
5. The Deputy S.P. (S.D.P.O.), Dalsinghsarai, Samastipur.
6. The Officer-in-Charge, Nagar Panchayat, Dalsinghsarai, P.S.- Dalsinghsarai, Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar, Advocate
For the Respondent/s : Mr. GA-4

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 06-01-2020 The petition filed on 07.09.2018 is listed for hearing
for the first time today before the Court.

Heard learned counsel for the petitioner and learned
counsel for the respondents.

Petitioner has prayed for the following relief/s:

“For issuance of writ of mandamus commanding the
Respondents to remove encroachment from Station
Road, i.e. from 32 No. Gumti to Registry Office as
in connivance with the Nagar Panchayat, Motorcycle
and cycle stand has been settled by the side of the
road, allowing encroachment by street vendors in the



Station Road, Gudri Road causing inconvenience to public in general and also the petitioner in utter disregard to the general principle that public roads are to be protected from congestion, they are meant for passage only and no other and flanks of the road which are being encroached by allowing motorcycle, cycle stand, small shopkeepers is threatening the safety of the pedestrians.”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.



The petition stands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(Anil Kumar Upadhyay, J)

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